

There are a number of interesting pieces of HIPAA information included below. In particular the WEDI/SNIP Conference Call on Security.

As always: Please be sure to note that in some cases the information presented may be the opinion of the original author. We need to be sure to view it in the context of our own organizations and environment. You may need additional information, support, legal opinions and/or decision documentation when interpreting the rules.

My thanks to all the folks who have shared information for this e-news.

Thanks!!!

Ken

(916-654-2466 if needed)

Several items that may be of interest:

Eight National HIPAA Roundtable

Interim Final Rule -- Civil Money Penalties: Procedures
for Investigations, Imposition of Penalties

[hipaalive] TCS: Letter to Secretary Thompson

Code Set Road Map (DRAFT) - ATTACHMENT

[hipaannotes] HIPAAnote - Vol. 3, No. 17 - 4/23/03

HIPAA Security and Privacy Rule Relationships - ATTACHMENT

[hipaalert] HIPAAAlert-lite - 4/24/03

HIPAA Implementation Newsletter - #56 - April 25, 2003 ATTACHMENT

***** Eight National HIPAA Roundtable *****

>>> <Twilliam@ohi.ca.gov> 04/24/03 01:44PM >>>

It will focus on HIPAA Administrative Simplification, specifically electronic transactions and code sets and security. The call in number is 1-877-381-6315, the conference identification # is 8688774. CMS is requesting that callers RSVP to Alikia Brown at Abrown1@CMS.hhs.gov

Date: April 30, 2003

Time: 11AM - 12:30 PM Pacific

FREE

***** Interim Final Rule -- Civil Money Penalties: Procedures *****

***** for Investigations, Imposition of Penalties *****

>>> Stephen Marshall <SMarshall@co.sutter.ca.us> 04/18/03 11:49AM >>>

Yesterday, the Department of Health and Human services published in the Federal Register an interim final rule for "Civil Money Penalties: Procedures for Investigations, Imposition of Penalties, and Hearings". According to DHHS, this will serve as the initial installment of the "Enforcement Rule". The interim rule takes effect May 19, 2003. DHHS is seeking public comments on this rule. Comments must be received no later than June 16, 2003.

A copy of the rule is attached.

Steve

Stephen A. Marshall
Co-chair, HIPAA County Issues Workgroup
Administrative Services Manager
County of Sutter, Department of Human Services
SMarshall@co.sutter.ca.us
(530) 822-7487 ext. 106
Fax: (530) 822-7508

***** [hipaalive] TCS: Letter to Secretary Thompson *****

** HIPAAlive! From Phoenix Health Systems/HIPAAAdvisory.com **

http://www.wedi.org/public/articles/dis_viewArticle.cfm?ID=178

**** Letter to Secretary Thompson AND Medicaid Readiness ****

>>> "Ginger Cox" <GCox@oshpd.state.ca.us> 04/21/03 03:01PM >>>

Some of you alerted me that you cannot access the web address listed below. For some reason, some of our e-mails do not 'highlight' the whole web address. I've downloaded the document and attached the first document for you.

On April 15, the Workgroup for Electronic Data Interchange (WEDI) sent a letter to HHS Secretary Tommy Thompson. WEDI believes that a substantial number of covered entities are not far enough along to achieve compliance by the October 16, 2003 TCS deadline. In its letter, WEDI identifies several scenarios of action which may avoid the "train wreck" that will result from reversion to paper claims or stoppage of cash (payment) flows.

Laurie Valentine of Sacramento County alerted me that the HHS Office of Inspector General (OIG) recently reported that about one in five state health agencies say they will not be compliant by the October 16, 2003 deadline. Only one of the five territories with Medicaid programs expects to be compliant by October. See the last two attachments.

These documents are placed in the TDC workgroup's web library for the April 24 material folder, prior to our TDC meeting this Thursday morning (818 K Street, 5th floor, Sacramento).

Thank you Terrie for the alert on the WEDI letter. Thank you Laurie for the alert on the OIG reports regarding the Medicaid readiness.

Ginger Cox
Co-chair
Transaction and Data Content Workgroup

>>> <Twilliam@ohi.ca.gov> 04/21/03 07:59AM >>>

You may find the WEDI letter to Sec. The location of the letter is

http://www.wedi.org/cmsUploads/pdfUpload/commentLetters/Letter_to_Sec_Thomson_pdf.pdf

***** [hipaanotes] HIPAAnote - Vol. 3, No. 17 - 4/23/03 *****

>>> "HIPAAnote" <info@phoenixhealth.com> 04/23/03 12:02PM >>>

=====

H I P A A n o t e -- Volume 3, Number 17 -- April 23, 2003

>>From Phoenix Health Systems--HIPAA Knowledge--HIPAA Solutions<<
=>Healthcare IT Consulting & Outsourcing<=

=====

JOIN US on MAY 15, 2:00 - 3:00 PM EDT for our audio conference,

*** Countdown to TCS Compliance:

Considerations for Business Operations ***

to learn more about what must be addressed in transforming information systems to adopt the HIPAA Transactions & Code Sets Standards.

For more information, visit: <http://www.hipaaudio.com>

=====

This week's HIPAAnote...

*** OCR? Aren't They the "HIPAA Police"? ***

Somewhere along the road to compliance path to HIPAA, the Office of Civil Rights (OCR) gained the reputation of being appointed as the HIPAA police. Let's take a few minutes and set the record straight about this agency's actual responsibilities for HIPAA compliance.

OCR plays a key role in compliance monitoring for HIPAA regulations. As the focal organization for equality and human rights, OCR seems to be a logical choice to ensure that covered entities are following HIPAA regulations. The Department of Health and Human Services (HHS) selected OCR as a partner to guarantee that individuals have equal rights of access to HHS services. Let's remember that HIPAA is all about equal rights and access to health information.

One of the key points in the HIPAA legislation is the right of individuals to have their

medical information remain private and confidential. Most healthcare organizations realize that the HIPAA legislation represents a major commitment by the federal government to recognize that patients have such rights. Specifically, the government mandates that these rights are to be upheld and never violated. The OCR goals include customer-focused outcomes and the development of compliance standards which will greatly support this legislation. If you read the OCR vision statement, it clearly states the following:

* "Through excellence in investigations, voluntary dispute resolution, enforcement, technical assistance, policy development and information services, OCR will protect the civil rights of all individuals who are subject to discrimination in health and human services programs."

* "As an organization of diverse and empowered individuals, OCR, through partnerships with customers and suppliers, will ensure equality in the delivery of services to HHS beneficiaries. Working collaboratively with HHS Operating and Staff Divisions to make civil rights concerns an integral part of HHS programs, OCR will use its human and technical resources efficiently to accomplish its mission. The success of OCR's compliance program will be reflected in the full participation of persons of diverse backgrounds and capabilities in health and human services programs nationwide."

So don't envision the OCR team as undercover agents who will charge through the doors of your healthcare organization looking for compliance infractions. We do not yet know all the mechanisms that will be put into place to support the responsibility assigned to the Office of Civil Rights. We know that OCR does have responsibility for ensuring the appropriate handling of investigations for privacy violations, but remember, they have a larger role in establishing an environment within healthcare to ensure that the patient's right to keep his or her protected health information private and confidential is never violated!

Freeman Scott,
Phoenix Health Systems

That's today's HIPAAnote...now, pass it along!

=====

HIPAAnotes are published weekly as a learning tool to help you and your associates stay tuned-in to HIPAA and its implications. Forward it to anyone with a "need to know" through your own internal mailing list, intranet or newsletter -- whatever works for you...

Our HIPAAcratic oath: We'll use your ideas for HIPAAnotes -- send them!
Randa Upham, Editor
D'Arcy Gue, Executive Editor

Our Other HIPAA resources:
HIPAAAdvisory web site: <http://www.hipaadvisory.com>
HIPAAAlert newsletter: <http://www.hipaalert.com>
HIPAAlive discussion list: <http://www.hipaalive.com>
HIPAAlive-Premium: <http://www.hipaadvisory.com/live/prem.htm>

HIPAAlive Doc Site: <http://www.hipaadvisory.com/MembersOnlySignup/>

* Join HIPAAlive-Premium & get a FREE Doc Site Membership! *

=====

COMMENTS? Email us at: info@phoenixhealth.com

SUBSCRIBE: <http://www.hipaadvisory.com/signup/signup.cfm?notes>

ARCHIVES: <http://www.hipaadvisory.com/note/archives.htm>

SEARCH: <http://www.hipaadvisory.com/search/index.cfm#keyword>

=====

You are currently subscribed to hipaanotes as:

Change your list settings: <http://www.hipaadvisory.com/note/index.htm#change>

UNSUBSCRIBE: <http://www.hipaadvisory.com/note/index.htm#unsub>

Copyright 2003, Phoenix Health Systems, Inc. All Rights Reserved.

Reprint by permission only.

<http://www.phoenixhealth.com> | 301-869-7300

=====

***** [hipaalert] HIPAAAlert-lite - 4/24/03 *****

>>> "HIPAAAlert" <info@phoenixhealth.com> 04/24/03 01:47PM >>>

=====

H I P A A L E R T - lite -- April 24, 2003

>>From Phoenix Health Systems--HIPAA Knowledge--HIPAA Solutions<<
=> Healthcare IT Consulting & Outsourcing <=

=====

In this issue:

HIPAAnews --

- * WEDI Alerts HHS Over Impending TCS "Train Wreck"
- * Homeland Security Issues NPRM on Critical Infrastructure Data Submission
- * HIMSS Goal: Quicken Electronic Records Adoption

HIPAAlatest -- additions to HIPAAAdvisory.com

=====

JOIN US on MAY 15, 2:00 - 3:00 PM EDT for our audio conference,

*** Countdown to TCS Compliance:

Considerations for Business Operations ***

to learn more about what must be addressed in transforming information systems to adopt the HIPAA Transactions & Code Sets Standards.

For more information, visit: <http://www.hipaaudio.com>

=====

H I P A A n e w s

*** WEDI Alerts HHS Over Impending TCS "Train Wreck" ***

On April 15, the Workgroup for Electronic Data Interchange (WEDI) sent a letter to HHS Secretary Tommy Thompson advising him on how the industry will be making the short-term transition from its current state to a successful implementation of the HIPAA Transaction and Code Set (TCS) standards. WEDI believes that a substantial number of covered entities are not far enough along to achieve compliance by the October 16, 2003 TCS deadline. In its letter, WEDI identifies several courses of action which may avoid the "train wreck" that will result from reversion to paper claims or stoppage of cash (payment) flows.

Related to this, the HHS Office of Inspector General (OIG) recently reported that about one in five state health agencies say they will not be compliant by the October 16, 2003 deadline. Only one of the five territories with Medicaid programs expects to be compliant by October.

Read more, including OIG's reports and WEDI's letter:
<http://www.hipaadvisory.com/news/index.cfm#0421wedi>

*** Homeland Security Issues NPRM on Critical Infrastructure Data Submission ***

On April 15, the new Department of Homeland Security published a proposed rule designed to convince the private sector to voluntarily submit critical infrastructure information to the government with the assurance that such information will be utilized for securing the US and not be disseminated to the general public. The proposal sweeps broadly, covering any data submitted to the government about any real or possible attack on "critical infrastructure or protected systems by physical or computer-based attack" or any programming errors, glitches or bugs that could endanger important services.

Read more:
<http://www.hipaadvisory.com/news/index.cfm#0421cnet>

*** HIMSS Goal: Quicken Electronic Records Adoption ***

More than 70 provider organizations and information technology vendors have signed the Healthcare Information and Management Systems Society (HIMSS) declaration calling for a summit and additional action to support universal implementation of electronic medical records (EMR) systems. Meanwhile, a recent study found few hospitals and only about 5% of US primary care physicians use EMRs.

Read more:
<http://www.hipaadvisory.com/news/index.cfm#0421hdm>

=====

RUN YOUR AD HERE! Want to get your HIPAA-related ad read by over 20,000 HIPAA industry professionals? We are now offering advertising space in HIPAAAlert and HIPAAnote--representing an unmatched opportunity to advertise to a focused audience of HIPAA professionals.

Get more details: <http://www.hipaadvisory.com/AdvertisingSpecs.htm>

=====

H I P A A l a t e s t

NEW IN HIPAAAction:

> HIPAALinks > Specific Groups:

- * Universities and HIPAA

http://www.hipaadvisory.com/action/hipaalinks/specific_groups.htm#acmed

- * HIPAA and the Team Physician

http://www.hipaadvisory.com/action/hipaalinks/specific_groups.htm#team

> Privacy:

- * New Medical Privacy Rules Test Military

<http://www.hipaadvisory.com/action/privacy/index.htm#art>

- * Officials Struggle with HIPAA when SARS is Concerned

<http://www.hipaadvisory.com/action/privacy/index.htm#041703katu>

> Security:

- * The Key to a HIPAA-Safe Computer System

<http://www.hipaadvisory.com/action/security/index.htm#inf>

NEW IN HIPAAzine:

- * Paperwork Pileup

<http://www.hipaadvisory.com/news/HIPAAzine.htm#042103bg>

- * HIPAA Prescribes Privacy Regimen

<http://www.hipaadvisory.com/news/HIPAAzine.htm#0403is>

NEW IN HIPAAtech > Smart Cards:

- * Pittsburgh Medical Center Expands Smart Card Use

<http://www.hipaadvisory.com/tech/smartcards.htm#articles>

NEW IN HIPAAviews > Privacy:

* HIPAA Changes Prayer in Churches:
<http://www.hipaadvisory.com/views/privacy/index.htm#041603ppp>

> On Reaching the Privacy Deadline:

* New Medical Privacy Rules Create Headaches for Doctors, Patients
<http://www.hipaadvisory.com/views/privacy/deadline.htm#042303bs>

> Professional & College Sports and HIPAA:

* Impact of New Medical Privacy Law Uncertain
<http://www.hipaadvisory.com/views/privacy/prosports.htm>

=====

HIPAAAlert-lite is our weekly version of HIPAAAlert, Phoenix Health Systems' acclaimed monthly enewsletter.

Our Other HIPAA resources:

HIPAAAdvisory web site: <http://www.hipaadvisory.com>
HIPAAnote Weekly Byte of HIPAA: <http://www.hipaanote.com>
HIPAALive Discussion List: <http://www.hipaalive.com>
HIPAALive-Premium: <http://www.hipaadvisory.com/live/prem.htm>
HIPAALive Doc Site: <http://www.hipaadvisory.com/MembersOnlySignup/>
* Join HIPAALive-Premium & get a FREE Doc Site Membership! *

COMMENTS? Email us at: info@phoenixhealth.com
SUBSCRIBE: <http://www.hipaadvisory.com/signup/signup.cfm?signup=alert>
ARCHIVES: <http://www.hipaadvisory.com/alert/archives.htm>
SEARCH: <http://www.hipaadvisory.com/search/index.cfm#keyword>

=====

You are currently subscribed to hipaalert

UNSUBSCRIBE: <http://www.hipaalert.com/index.htm#unsub>

Copyright 2003, Phoenix Health Systems, Inc. All Rights Reserved.
Reprint by permission only.
<http://www.phoenixhealth.com> | 301-869-7300

=====